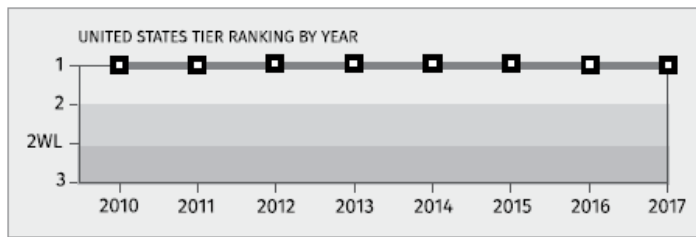


UNITED STATES OF AMERICA: TIER 1

The Government of the United States fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore, the United States remained on Tier 1. The government demonstrated serious and sustained efforts by investigating and prosecuting both sex and labor trafficking, and significantly increasing the number of convictions; providing services to a greater number of trafficking victims and increasing overall funding levels for these services; providing various types of immigration relief for foreign national victims, including a pathway to citizenship; granting T nonimmigrant status to more trafficking victims and extending Continued Presence from one to two years duration to allow victims to remain in the United States temporarily during the investigation and prosecution of their traffickers; enhancing outreach to and engagement with survivors to improve training, programs, and policies on human trafficking; expanding industry- and sector-specific outreach initiatives; and continuing funding for an NGO-operated national hotline and referral service. Although the government meets the minimum standards, advocates called for increased efforts to investigate and prosecute labor trafficking cases and continued to urge more consistent, victim-centered implementation of anti-trafficking laws and policies, including increased efforts to ensure more trafficking victims have timely access to immigration relief. Furthermore, NGOs reported continued instances of state and local officials detaining or prosecuting trafficking victims for criminal activity related to their trafficking, notwithstanding “safe harbor” laws in some states. Advocates called for the

U.S. Congress to adopt a federal vacatur bill that would allow trafficking victims to vacate any such convictions and encouraged the government to enhance protections for foreign workers, who are particularly vulnerable to labor trafficking.



RECOMMENDATIONS FOR THE UNITED STATES

Increase investigation and prosecution of labor trafficking cases and cases involving nonviolent forms of coercion; dedicate additional resources for and increase access to comprehensive services across the country, including appropriate housing for all trafficking victims and economic opportunities for survivors; encourage state, local, and tribal authorities to adopt policies not to criminalize victims; increase training of prosecutors and judges on criminal restitution for trafficking victims; strengthen survivor engagement and incorporate survivor input in policies and programs; increase protections for foreign workers in the United States; ensure federal law enforcement officials apply in a timely and consistent manner for Continued Presence for eligible victims; enhance screening procedures to improve identification of trafficking victims among vulnerable populations; enforce federal acquisition regulations aimed at preventing trafficking in federal contracts, including pertaining to providing strong grievance mechanisms for workers, and increase transparency related to any remedial actions against federal contractors; strengthen prevention efforts aimed at

populations vulnerable to human trafficking and the demand for commercial sex and labor trafficking; increase training for state, local, and tribal agencies on victim identification and available benefits; improve data collection on prevalence and on victims identified and assisted; and support federal legislation to allow victims to vacate federal convictions that are a direct result of being subjected to trafficking.

PROSECUTION

The U.S. government increased federal anti-trafficking law enforcement efforts. The Trafficking Victims Protection Act of 2000 (TVPA), as amended, prohibits all forms of human trafficking. U.S. law also prohibits conspiracy and attempts to violate these provisions, as well as obstructing their enforcement and benefitting financially from these acts. Additionally, a criminal statute on fraud in foreign labor contracting prohibits the use of fraud to recruit workers abroad to work on a U.S. government contract performed within or outside the United States, on U.S. property, or on military installations outside the United States. Penalties prescribed under these statutes are sufficiently stringent and commensurate with penalties prescribed for other serious offenses, such as rape. Penalties can include up to life imprisonment. Several bills that address human trafficking were introduced in the U.S. Congress during the reporting period, including the Trafficking Survivors Relief Act, which would allow victims to vacate federal convictions of crimes committed as a direct result of being subjected to trafficking. Advocates noted support for the adoption of federal vacatur legislation.

The Department of Justice (DOJ), Department of Homeland Security (DHS), and Department of State (DOS) are the primary investigating agencies for federal trafficking offenses, with federal human trafficking cases prosecuted by DOJ. DOJ, DHS, and the Department of Labor (DOL) continued to develop complex human trafficking investigations and prosecutions through the Anti-Trafficking Coordination Team (ACTeam) Initiative and delivered advanced training to federal agents, prosecutors, and victim assistance professionals. DOJ provided \$15.8 million in fiscal year (FY) (October 1 through September 30) 2016 to 22 law enforcement agencies and victim service providers that make up 11 Enhanced Collaborative Model (ECM) anti-trafficking task forces in partnership with other federal, state, local, and tribal law enforcement entities and community partners. This represents a decrease from 16 ECM task forces funded in FY 2015. NGOs noted ECM task force grantees should receive additional training and technical assistance and called for an evaluation of the model to assess its effectiveness and identify best practices in task force development and operations.

To improve identification of labor trafficking cases, DOJ launched a labor trafficking initiative to strengthen efforts through training, enhanced intelligence models, and strategic outreach. DOL, with assistance from DOJ, enhanced its protocols for detection and referral of potential labor trafficking cases.

The federal government reports its law enforcement data by fiscal year. In FY 2016, DHS reported opening 1,029 investigations possibly involving human trafficking, compared to 1,034 in FY 2015. DOJ formally opened more than 1,800 human trafficking investigations, a significant increase from 802 in FY 2015. DOJ's ECM task forces separately initiated 982 investigations, a slight decrease from 1,011 in FY 2015. DOS reported opening 288 human trafficking-related cases worldwide during FY 2016, an increase from 175 in FY 2015. The Department of Defense (DoD) reported investigating at least 13 human trafficking-

related cases involving U.S. military personnel, compared to 10 in FY 2015. The Department of the Interior (DOI) investigated one human trafficking case involving a victim of sex trafficking, which led to a conviction and a 22-year sentence.

DOJ initiated a total of 241 federal human trafficking prosecutions in FY 2016, a decrease from 257 in FY 2015, and charged 531 defendants, an increase from 377 in FY 2015. Of these prosecutions, 228 involved predominantly sex trafficking and 13 involved predominantly labor trafficking, although some involved both. DOJ and DHS partnered with Mexican law enforcement counterparts to initiate prosecutions on both sides of the U.S.-Mexico border that disrupted international criminal enterprises.

During FY 2016, DOJ secured convictions against 439 traffickers, a significant increase from 297 convictions in FY 2015. Of these, 425 involved predominantly sex trafficking and 14 involved predominantly labor trafficking, although several involved both.

These prosecutions and convictions include cases brought under trafficking-specific criminal statutes and related non-trafficking

criminal statutes, but do not include child sex trafficking cases brought under non-trafficking statutes. Sentences ranged from 12 months to life imprisonment. Advocates continued to call on federal prosecutors to seek and for courts to award mandatory restitution for victims of human trafficking.

Advocates urged for increased efforts to investigate and prosecute labor trafficking cases and more systematic efforts to prioritize these cases. Advocates continued to call for increased prosecution of trafficking cases involving nonviolent forms of coercion and called for an increased role for DOL and the Equal Employment Opportunity Commission (EEOC) to investigate labor trafficking.

State laws form the basis of most criminal actions in the United States. All U.S. states and territories have anti-trafficking criminal statutes. NGOs continued to report state and local law enforcement demonstrated uncertainty regarding their authority over forced labor cases and lacked formal structures to increase the identification of such cases. Although at least 34 states have “safe harbor” laws, advocates reported the continued criminalization of victims for crimes committed as a direct result of being subjected to trafficking, and urged federal, state, local, and tribal agencies to adopt policies not to criminalize victims. In addition, 36 states have vacatur laws allowing survivors to seek a court order vacating or expunging criminal convictions entered against them that resulted from their trafficking situation, and advocates noted increased efforts to provide remedies for survivors who have criminal records as a result of their exploitation. Advocates also reported inconsistencies between federal and state treatment of child trafficking victims due to differences in how child trafficking is defined, and urged states to use the definition in the TVPA.

The federal government continued to collect state and local data on human trafficking investigations during the reporting period through the Uniform Crime Reporting Program; however, not all state and local jurisdictions participated. Data from 2015 collected from participating jurisdictions are publicly available. In 2015, jurisdictions reported a total of 387 human

trafficking offenses resulting in arrest or solved for crime reporting purposes, an increase from 120 in 2014, due in part to more state and local participation in the reporting program. NGOs noted an increase in law enforcement efforts to investigate and prosecute human trafficking by street gangs. There is no formal mechanism to track prosecutions at the state and local levels.

The government continued to take some actions to address official complicity at both the federal and state levels. Authorities arrested an Army service member for sex trafficking involving a 15-year-old and administratively discharged him under other than honorable conditions for a pattern of misconduct. A federal contractor working overseas was convicted in the United States of child sexual exploitation and child sex trafficking. Law enforcement officers from several agencies around the San Francisco Bay Area were charged with crimes related to their sexual misconduct involving a child sex trafficking victim, including obstruction of justice and failure to report.

The U.S. government expanded efforts to train officials. Federal agencies collaborated with survivors to improve law enforcement strategies for victim identification, incorporate survivor-centered best practices in investigations and prosecutions, and increase efforts to prevent and detect trafficking. However, survivor advocates reported limited opportunities for input and involvement in the development of anti-trafficking training for law enforcement; they encouraged improved comprehensive training on all forms of human trafficking as well as the hiring of survivors as trainers. Advocates called for increased training of prosecutors and judges on mandatory restitution for victims of trafficking. Multiple federal agencies continued to engage in extensive capacity-building for law enforcement, judges, military personnel, pro bono attorneys, and others to more effectively investigate and prosecute trafficking cases. DOJ expanded training provided to judges and judicial officers on the dynamics of child sex trafficking of U.S. citizens and lawful permanent residents (LPR) and to law enforcement regarding the use of money laundering charges and asset forfeiture laws. DHS implemented a human trafficking training program for

all transportation security and border protection employees as required in the Justice for Victims of Trafficking Act (JVTA), and collaborated with American Indians and Alaska Natives to pilot a “train the trainer” course for tribal leaders and law enforcement. DOS continued an outreach program for domestic field offices and passport centers in the United States to train personnel on human trafficking, including on investigations, prosecutions, and victim services. The Department of Health and Human Services (HHS) developed resources for courts to assist in the implementation of the Preventing Sex Trafficking and Strengthening Families Act, including the identification of and assistance to child victims of trafficking.

PROTECTION

The U.S. government increased its efforts to protect trafficking victims. It granted T nonimmigrant status to more victims than in the prior fiscal year, significantly increased overall funding for victim services, and provided services to significantly more trafficking victims. It also continued collaboration with NGOs, victim service providers, and survivors for a multidisciplinary response to victim identification and service referrals. Advocates continued to report cases of local and state authorities detaining or prosecuting trafficking victims for conduct committed as a direct result of being subjected to trafficking.

Federally-funded victim assistance includes case management and referrals for medical and dental care, mental health and substance abuse treatment, sustenance and shelter, translation and interpretation services, immigration and legal assistance, employment and training, transportation assistance, and other services such as criminal justice advocacy. Although federal funding for victim assistance increased for a third year in FY

2016, NGOs continued to report funding remained insufficient to address the myriad needs of individual victims.

HHS issued Certification and Eligibility Letters for foreign victims to be eligible for services and benefits to the same extent as refugees, provided grant funding for comprehensive

case management for foreign and domestic trafficking victims, and funded capacity-building grants for community-based organizations and child welfare systems to respond to trafficking. DOJ provided comprehensive and specialized services for both domestic and foreign trafficking victims. Record-keeping systems used by DOJ and HHS did not allow for cross-referencing to determine which victims were served by both agencies.

A Certification Letter enables foreign adult victims to be eligible for federal and state services to the same extent as refugees when Continued Presence is granted or when a victim has a bona fide or approved application for T nonimmigrant status, as described further below. An Eligibility or Interim Assistance Letter allows immediate eligibility for federally-funded benefits and services to the same extent as refugees when credible information indicates a child is or may be a victim of trafficking. HHS issued 444 Certification Letters to foreign adults in FY 2016, a decrease from 623 in FY 2015, and issued 332 Eligibility Letters to foreign children in FY 2016, an increase from 239 in FY 2015. Seventy-five percent of all adult victims certified in FY 2016, more than half of whom were male, were victims of labor trafficking; and more than 73 percent of child trafficking victims who received Eligibility Letters were labor trafficking victims. HHS awarded \$6.4 million in FY 2016 to three NGOs for the provision of case management services to foreign national victims through a nationwide network of NGO sub-recipients, a decrease from \$7.5 million in FY 2015. Through these grants, HHS supported 152 NGOs with the capacity to serve individuals at 241 sites across the country that provided assistance to a total of 1,424 individuals and their family members.

In FY 2016, HHS increased funding to serve U.S. citizen and LPR victims of human trafficking and provided \$3.4 million for coordinated victim-centered services, an increase from \$3.2 million in FY 2015. It provided an additional \$2.5 million to address trafficking within child welfare systems.

DOJ continued to significantly increase the funding allocated to victim assistance, enabling service provision to more victims. During FY 2016, DOJ funded 33 victim service providers offering

comprehensive and specialized services across the United States, totaling approximately \$19.7 million, compared with \$13.8 million in FY 2015 and \$10.9 million in FY 2014. DOJ provided \$6 million in new funding to improve outcomes for child and youth human trafficking victims up to age 24, and increase services for American Indian and Alaska Native trafficking victims who reside in urban areas. DOJ also provided \$2.6 million to enhance services for victims of child sexual exploitation and U.S. citizen and LPR victims of child sex trafficking. From July 1, 2015 to June 30, 2016, DOJ grantees providing victim services reported 5,655 open client cases, including 3,195 new clients, compared with 3,889 open client cases and 2,180 new clients the year before and a respective 2,782 and 1,366 the year before that. DOJ's grantees reported that 66 percent of clients served during the reporting period were U.S. citizens or LPRs and 34 percent were foreign nationals.

DOJ published a new victim assistance rule in August 2016 that provided more flexibility for states to use increased funding for crime victims, including for trafficking victims. The Department of Housing and Urban Development, in partnership with a

local housing authority and HHS, piloted the first program in the United States to offer housing vouchers for trafficking survivors. In response to the JVTAs, DOJ created a webpage for survivors with information on resources and services.

NGOs and survivor advocates expressed concern that despite federally funded programs mandating comprehensive services for all victims of trafficking, services were not always provided equally, and they reported inconsistencies in the availability and delivery of services. Advocates called for increased resources and more strategic spending of funds to provide comprehensive services for all survivors across the country. NGOs reported the need for increased availability of trauma-informed services for trafficking victims. NGOs and survivor advocates continued to report insufficient access to shelter and long-term housing options for trafficking victims and called on the U.S. Congress to establish a federal housing preference for survivors of human trafficking. NGOs and survivor advocates also called

for improvements to employment and training services to create more economic opportunities, including expansion of vocational training programs, career development courses, and financial counseling. An OSCE report called for increased resources to assist vulnerable youth exiting foster care.

The United States government has formal procedures to guide officials in victim identification and referral to service providers. During the year, HHS child protection specialists continued to provide training and technical assistance to overcome barriers in identifying child trafficking victims. NGOs reported continued concern that governmental efforts to detect and address labor trafficking were insufficient.

When children are placed in the care and custody of HHS, they are screened for trafficking exploitation in the United States or abroad. When appropriate, HHS makes a determination of eligibility for benefits and services, which may include longterm assistance. HHS assisted 122 child victims of trafficking through its Unaccompanied Refugee Minors Program in FY 2016, a slight decrease from 124 served in FY 2015. This program requires states to provide such child victims with the same assistance, care, and services available to foster children. HHS also developed a guide on victim identification and other related resources for child welfare agencies and continued to enhance efforts to identify American Indian and Alaska Native victims in both rural and urban areas. Advocates noted concerns about screening procedures at the U.S. borders and in detention facilities, and called for increased training of officials and better monitoring of the care provided to unaccompanied children.

DHS provides trafficking-specific immigration options through Continued Presence, which is temporary, and T nonimmigrant status (commonly referred to as the T visa). T visa applicants must be victims of a severe form of trafficking in persons, be in the United States or at a port of entry because of trafficking, and show cooperation with reasonable requests from law enforcement unless they are younger than 18 years of age or unable to cooperate due to trauma suffered. They must also demonstrate that they would suffer extreme hardship involving

unusual and severe harm upon removal from the United States. T visa applicants may petition for certain family members, including certain extended family members who face a present danger of retaliation; T visa beneficiaries and their derivative family members are authorized to work and are eligible for certain federal public benefits and services. After three years, or upon the completion of the investigation or prosecution, those with T visas may be eligible to apply for lawful permanent resident status and eventually may be eligible for citizenship.

DHS granted T nonimmigrant status to 750 victims and 986 eligible family members of victims in FY 2016, a significant increase from 610 and 694 in FY 2015. In December 2016, DHS published an interim final rule amending the regulations governing the requirements and procedures for victims of human trafficking seeking a T visa to conform to legislation enacted after the initial rule was published in 2002. The rule became effective in January 2017.

DHS manages all requests from federal and state law enforcement for Continued Presence, authorizing foreign nationals identified as trafficking victims who are potential witnesses to remain lawfully and work in the United States during the investigation and prosecution of the crime. In FY 2016, DHS issued Continued Presence to 129 trafficking victims, who were potential witnesses, a decrease from 173 in FY 2015. It granted 179 extensions of Continued Presence, a decrease from 223 in FY 2015. In October 2016, DHS updated the Continued Presence guidance to law enforcement to improve consistency, extend the duration from one to two years, and increase the renewal duration from one year to up to two years. NGOs continued to call for consistent implementation of Continued Presence across the United States, making sure officials request it as soon as possible during an investigation to enhance the use of this law enforcement tool.

International organizations recommended better training for

officials, especially at the local level, on the different types of immigration options available to trafficking victims as well as speeding up the process by which these benefits are granted.

Another form of immigration relief available to trafficking victims is U nonimmigrant status (commonly referred to as the U visa) for victims of certain qualifying crimes who are helpful in the investigation or prosecution of the qualifying criminal activity and meet other specific eligibility requirements. DHS no longer delineates the number of U visas issued based on the specific underlying crimes for which they are issued.

In FY 2016, a DOS program reunified 279 family members with identified victims of trafficking in the United States, compared with 244 in FY 2015. This program provided two survivors with assistance returning to their home country.

Multiple agencies across the federal government continued to provide training to federal, state, local, and tribal law enforcement, as well as to NGO service providers and health and human service providers to encourage more consistent application of victim-centered and trauma-informed approaches in all phases of victim identification, assistance, recovery, and participation in the criminal justice process. An NGO noted limited training and resources for child welfare agencies to provide trauma-informed services for trafficking victims.

Advocates reported authorities continued to arrest trafficking victims for crimes committed as a direct result of being subjected to trafficking. Survivor advocates continued to call on states to reform their laws to ensure trafficking victims are not criminalized for offenses their traffickers force them to commit. NGOs called for special conditions in federal grants to law enforcement entities that would bar the use of funds to criminalize human trafficking victims. NGOs and survivor advocates continued to report the criminalization of victims creates barriers to accessing public benefits, employment, housing, and other needs essential to avoid re-trafficking and facilitate recovery. NGOs also called on the U.S. government to address labor trafficking at the same levels as sex trafficking, as

much as practicable, in anti-trafficking programs and activities.

Survivors continued to report some victims felt pressure to testify against their traffickers to obtain access to services.

PREVENTION

The U.S. government increased efforts to prevent trafficking. Federal agencies conducted numerous awareness and training activities for their own personnel, including law enforcement and acquisition professionals, and field office staff. The Department of the Treasury (Treasury) joined the President's Interagency Task Force to Monitor and Combat Trafficking in Persons (PITF) to bring added expertise, including in evaluating the nexus between money laundering and human trafficking. To enhance transparency and stakeholder input, the PITF included the presidentially-appointed survivor advisory council in its annual meeting and reported on agency accomplishments in combating human trafficking. The government continued to implement its strategic action plan on victim services in the United States and publicly released the second status report in December 2016. The government released a national action plan on responsible business conduct that included commitments to combat human trafficking in supply chains.

The government continued public outreach measures on the causes and consequences of human trafficking and continued efforts to increase victim identification among vulnerable populations and sectors and improve prevention efforts. HHS continued to fund an NGO to operate the national human trafficking hotline and in January 2017 launched a training and technical assistance center to enhance the public health response of communities and professionals to human trafficking. In FY 2016, the national hotline received 51,167 calls from across the United States and U.S. territories. In October 2016, the government updated the "Know Your Rights" pamphlet U.S. embassies and consulates provide applicants for temporary work and exchange visitor visas, incorporating public input, including from survivors, and featuring additional resources for workers. In FY 2016, the pamphlet generated 459 calls to

the national hotline, compared to 424 calls generated by the pamphlet in FY 2015.

In 2016, DHS continued its nationwide human trafficking awareness Blue Campaign and developed new products, including a toolkit for the hospitality sector. DOJ prepared a toolkit of materials and resources for distribution during outreach events that includes victim identification practices and protocols for assisting possible trafficking victims. HHS launched a new awareness campaign that incorporated stakeholder and survivor input and continued to provide training to health care and social service professionals. The Department of Transportation (DOT) and DHS worked with survivor advocates, law enforcement, and aviation experts to revise their training module for airline personnel. In July 2016, a legislative amendment added an annual training requirement for flight attendants on recognizing and responding to potential victims of trafficking, which led to an increase in the number of airlines partnering with DOT and DHS from four to 16. In FY 2016, the EEOC conducted more than 240 trafficking outreach events, reaching more than 25,000 individuals. The Department of Agriculture (USDA) developed and distributed across the United States a pamphlet on human trafficking and industry vulnerabilities, and it conducted outreach visits to rural communities in three states to increase awareness of trafficking. Treasury continued to analyze and disseminate information received from financial institutions related to human trafficking. The U.S. Agency for International Development funded anti-trafficking activities in 34 countries and continued its mandatory trafficking training for employees, including its acquisition workforce. The Department of Education continued outreach efforts to integrate trafficking information into school curricula and resources. DoD incorporated mandatory human trafficking training for contract and acquisition officers into its standard curricula. DOS continued to provide anti-trafficking training for its diplomatic personnel; it provided both classroom and web-based training for Diplomatic Security personnel, consular officers, and other employees. To prevent human trafficking, NGOs called for a more comprehensive approach to address the factors and conditions that increase vulnerabilities to human

trafficking. Advocates asked for more specific, easily accessible data on prevalence and on victims identified and assisted.

NGOs continued to report abuses, including allegations of human trafficking, of workers in the United States on work-based or other nonimmigrant visas. Advocates urged enhanced protections for workers, including regulatory changes to uncouple work visas from an employer or sponsor, and called for the allocation of more resources to protect workers from unscrupulous recruiters.

Both the H-2A and H-2B programs prohibit directly or indirectly charging foreign workers job placement, recruitment, or other fees—including certain salary deductions—related to employment, and both require disclosure of the terms of employment. Since August 2016, DOL has maintained an online list of H-2B foreign labor recruiters to increase transparency in the recruitment process, help workers verify legitimate H-2B job opportunities in the United States, and better enforce recruitment violations. In January 2017, DHS and DOL approved an agreement to share data on employers participating in nonimmigrant and immigrant visa programs. NGOs continued to report inadequate government oversight and enforcement of the recruitment fee ban and noted that workers were still being charged prohibited fees.

DOS has implemented steps to ensure the health, safety, and welfare of participants in the J-1 Visa Exchange Visitor Program, which includes the Summer Work Travel (SWT) and the au pair programs. DOS conducted field monitoring of the SWT program in the 2016 summer and winter seasons, visiting 446 SWT exchange visitor sites in 25 states and the District of Columbia. DOS also continued outreach efforts with 25 community support structures in 19 states with significant SWT populations to educate participants on personal safety, among other things. In January 2017, DOS sought public comment on a proposed new rule amending the SWT program requirements, which adds protections for visitors and new responsibilities for sponsors. In March 2017, a Florida man was sentenced to 30 years in prison for sex trafficking in a 2011 case involving

the exploitation of two SWT exchange visitors. With respect to the au pair program, DOS continued to monitor the health, safety, and welfare of au pairs. Recent media reports detailed allegations of abuse in a small number of cases under the au pair program involving au pairs working extra hours without additional pay and not receiving the appropriate wage for their placement jurisdiction.

U.S. law exempts U.S. vessels in fleets that fish for highly migratory species from a requirement that at least 75 percent of crew on vessels in U.S. waters be U.S. citizens. As a result, most workers on these fleets, which dock at ports in Hawaii and along the U.S. west coast, are foreign nationals. These workers are not eligible, based on this work, for any U.S. work-based visas to enter the United States, are not covered by U.S. labor law protections, and consistent with industry practice; are subject to a requirement whereby vessel captains hold the crew's identity documents. DHS monitored these workers' conditions to mitigate potential risks of exploitation.

In February 2017, a federal judge certified a class of immigration detainees who allege they were forced to work in violation of the TVPA during their detention in a privately owned and operated prison company contracted by DHS. The class certification has been appealed. DHS is not party to the lawsuit.

In 2016, DOS continued to administer its In-Person Registration Program for domestic workers on A-3 and G-5 visas employed by foreign mission and international organization personnel, respectively, in the Washington, DC area and began annual renewal appointments. DOS hosted a briefing for senior foreign embassy and international organization officials to reiterate program requirements, introduce a suggested employment contract template, and emphasize foreign mission responsibility for the welfare of these workers. DOS also held a consultation with NGOs on issues related to domestic workers. Despite these efforts, an OSCE report called for expansion of the In-Person Registration Program to include all A-3 and G-5 visa holders in the United States and raised concerns that some foreign mission personnel evade current protection measures for foreign

domestic workers. NGO reports called for increased efforts to prosecute domestic servitude cases involving diplomats when possible, the inclusion of all domestic workers in federal labor and employment law protections, and strengthened protections under state laws.

Civil enforcement of federal laws continued to be a significant component of the government's anti-trafficking efforts. DOL investigated complaints and conducted targeted civil labor investigations involving workers in industries and sectors known to be vulnerable to labor trafficking. In FY 2016, DOL increased enforcement activities in industries including agriculture, landscaping, seafood, reforestation, and hospitality. However, survivor advocates noted the high number of cases in hospitality, agriculture, and construction and recommended more investigations of these industries. During the reporting period, EEOC, which enforces federal employment discrimination statutes, continued to pursue cases on behalf of trafficked workers and ensure compensation for victims of trafficking, but did not file any new cases. Federal law also allows a person subjected to trafficking to independently file a civil cause of action, and there were cases in which individuals took this action during the reporting period.

The government continued its efforts to reduce the demand for commercial sex and forced labor in the reporting period. DoD investigated at least seven cases of service members allegedly violating DoD's prohibition on procuring commercial sex, compared to at least 38 investigations the previous year. DOJ continued to prosecute individuals who pay or attempt to pay for commercial sex involving children. For example, in 2016, one defendant received a sentence of 293 months in prison for engaging in a commercial sex act with a 12-year-old child. NGOs urged increased efforts to address the demand for commercial sex, including efforts to prosecute those who solicit sex from trafficking victims.

DOJ and DHS continued to proactively investigate allegations of child sex tourism offenses perpetrated overseas by U.S. citizens and partnered with foreign law enforcement counterparts to

share information regarding international travel of registered child sex offenders. Ten defendants were convicted of federal child sex tourism charges under the federal statute, 18 U.S.C.

2423(c), in FY 2016, an increase from three in the previous reporting period. Offenders who abuse children abroad could be prosecuted under other statutes, and prosecutions based on other statutes are not reflected in this statistic.

DOJ and other federal law enforcement agencies continued to investigate allegations of debt bondage and excessive recruitment fees required of third-country nationals working on certain U.S. government contracts abroad, but no federal criminal prosecutions of employers or labor contractors resulted from these investigations in FY 2016. There were no reports of civil actions, debarment, or other sanctions against noncompliant employers or labor contractors from U.S. programs.

The government sought public comment on a proposed definition of “recruitment fees” in the context of the Federal Acquisition Regulation, “Ending Trafficking in Persons,” which strengthens protections against trafficking in federal contracts, and on guidance for federal contractors on anti-trafficking risk management best practices and mitigation considerations. DHS enforces a law that prohibits the importation of goods made by prohibited forms of labor, including forced labor.

Within the reporting period, the government identified two locations and detained merchandise suspected of violating the statute but did not detain any goods on grounds it was produced by forced labor.

In FY 2016, DOI partnered with the National Indian Gaming Commission (NIGC) to provide a human trafficking training session at each of the NIGC’s regional conferences. DOI worked with DHS to host meetings with tribal leaders to address crime and exploitation along U.S. borders and continued to provide

human trafficking training to tribal first responders, including law enforcement and victim services personnel. For the first time, DOJ granted three awards dedicated to increasing NGO capacity to provide services for American Indian and Alaska Native victims of sex trafficking who reside in urban areas. DOJ developed a specialized training program on human trafficking in Indian Country and directed each United States Attorney's Office with tribal communities to develop guidelines with federal and tribal partners to address sexual violence and to develop strategic plans to combat trafficking. HHS and USDA launched a trafficking outreach initiative for rural and tribal communities and held joint community listening sessions with tribal leaders. HHS provided resources, training, and technical assistance to American Indian and Alaska Native communities to strengthen community-led responses to human trafficking aimed at increasing awareness and addressing the service needs of American Indian trafficking victims. Challenges include a criminal justice infrastructure inadequate to meet the needs of Indian Country, limited victim services, and cultural barriers to recognizing vulnerabilities.

U.S. INSULAR AREAS

All forms of trafficking are believed to occur in the U.S. insular areas, including American Samoa, Guam, the Commonwealth of the Northern Mariana Islands (CNMI), Puerto Rico, and the U.S. Virgin Islands (USVI).

In Guam and in CNMI, members of DOJ-led human trafficking task forces continued to engage with community partners to provide victim services, train law enforcement, and share strategies for improving victim identification. In collaboration with the two task forces, DOJ also continued to advance an initiative that enhances coordination with stakeholders in the Pacific Region on victim services, law enforcement responses, training, community outreach, and prevention programs. In USVI and Puerto Rico, DOJ participated with DHS in task forces

designed to raise awareness of and combat human trafficking. HHS provides services to foreign victims of trafficking in American Samoa, Guam, CNMI, Puerto Rico, and USVI.

In FY 2016, the HHS-funded national hotline received 24 calls from U.S. territories, with the majority of those calls coming from USVI and CNMI.

HHS provided grant-funded training and technical assistance in American Samoa, Guam, CNMI, Puerto Rico, and USVI in FY 2016 on trauma-informed care and protections available for victims of trafficking.

TRAFFICKING PROFILE

As reported over the past five years, the United States is a source, transit, and destination country for men, women, transgender individuals, and children—both U.S. citizens and foreign nationals—subjected to sex trafficking and forced labor. Trafficking occurs in both legal and illicit industries, including in commercial sex, hospitality, traveling sales crews, agriculture, seafood, manufacturing, janitorial services, construction, restaurants, health care, care for persons with disabilities, salon services, fairs and carnivals, peddling and begging, drug smuggling and distribution, and child care and domestic work. Individuals who entered the United States with and without legal status have been identified as trafficking victims. Government officials, companies, and NGOs have expressed concern about the risk of human trafficking in global supply chains, including in federal contracts. Victims originate from almost every region of the world; the top three countries of origin of federally identified victims in FY 2016 were the United States, Mexico, and the Philippines. Particularly vulnerable populations in the United States include: children in the child welfare and juvenile justice systems; runaway and homeless

youth; unaccompanied children; American Indians and Alaska Natives; migrant laborers, including undocumented workers and participants in visa programs for temporary workers; foreign national domestic workers in diplomatic households; persons with limited English proficiency; persons with low literacy; persons with disabilities; and LGBTI individuals. NGOs noted an increase in cases of street gangs engaging in human trafficking. Some U.S. citizens engage in child sex tourism in foreign countries.